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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JEFFREY W. MOEHLLENBRUCK  
JOHN P. RANIERI

Serial No.: 10/812,268

Filed: March 29, 2004

For: METHODS AND COMPOSITIONS FOR  
TREATING INTERVERTEBRAL DISC  
DEGENERATION

Group Art Unit: 1615

Examiner: Unknown

Attorney Docket: 2103.013882/MDM  
(SBI-064-DIV)

**CUSTOMER NO. 45488**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

**CERTIFICATE OF MAILING (37 C.F.R. § 1.8)**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date below.

September 28, 2004

*Cynde Meinhart*  
Cynde Meinhart

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Supplemental Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Director is hereby authorized to deduct said fees from Williams, Morgan & Amerson, P.C., Deposit Account No. 50-0786/2103.013882MDM.

In accordance with 37 C.F.R. § 1.97(e)(1), Applicants hereby certify that each item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present statement, as evidenced by the date of the enclosed Search Report. Please note that two of the references cited in the Search Report (U.S. Patent No. 6,340,369 and WO 00/62832) were previously cited in an Information Disclosure Statement filed March 29, 2004.

Applicants respectfully request that the listed documents be made of record in this case.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON, P.C.  
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September 28, 2004

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AGENT FOR APPLICANTS

Form PTO-1449 (modified)

Atty. Docket No.  
2103.013882/KDGSerial No.  
10/812,268**List of Patents and Publications for Applicant's & TRADEMARKS****INFORMATION DISCLOSURE STATEMENT**

(Use several sheets if necessary)

**Applicants**

Jeffrey W. Moehlenbruck/John P. Ranieri

**Filing Date:**  
March 29, 2004**Group:**  
1615**U.S. Patent Documents**  
*See Page 1***Foreign Patent Documents**  
*See Page 1***Other Art**  
*See Page 1***U.S. Patent Documents**

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A76	5,733,994	03/31/1998	Koepff et al.	527	207	11/26/1996
	A77						
	A78						
	A79						
	A80						

**Foreign Patent Documents**

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B6	WO01/76654	10/18/2001	PCT			
	B7						
	B8						

**Other Art (Including Author, Title, Date Pertinent Pages, Etc.)**

Exam. Init.	Ref. Des.	Citation
	C46	PCT/US2004/003034 International Search Report (July 22, 2004)
	C47	Alini et al., <i>Eur. Spine J.</i> 11:S215-S220 (2002)
	C48	
	C49	
	C50	

**EXAMINER:****DATE CONSIDERED:**

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.